



Policy: 3040
Procedure: 3040.07
Chapter: Medical Services
Rule: Right to Refuse Health Care

Effective: 07/20/06
Replaces: 3100.04
Dated: 04/20/04

Purpose:

Arizona Department of Juvenile Corrections (ADJC) juveniles have the right to make an informed decision to refuse, in writing, medical examinations and treatments, except when the juvenile exhibits an altered mental state, impaired judgment, a communicable disease, or in life threatening situations where consent is implied.

Rules:

1. If a juvenile refuses to accept an examination or treatment, the **QUALIFIED HEALTH CARE PROFESSIONAL (QHCP)** shall explain in language the juvenile can understand:
 - a. The benefits of proposed treatment;
 - b. Risks and health related consequences of the refusal of the proposed treatment;
 - c. The Agency's obligation to examine or treat;
 - d. The juvenile's right to seek examination/treatment at a later date.
2. If a juvenile refuses two sequential medication dosages, **QHCP** shall contact the prescribing physician for further direction.
3. If a juvenile refuses to come to the clinic for sick call, to receive any prescribed treatment, or to be seen by the QHCP:
 - a. The **QHCP** shall complete Form 3040.07A Health Care Refusal to include possible risks and consequences of the refusal of medical services;
 - b. The **JUVENILE** shall sign Form 3040.07A Health Care Refusal in the presence of a QHCP and a witness.
 - i. If the juvenile refuses to sign the form:
 - (1) **QHCP AND ANOTHER EMPLOYEE** may witness and sign the refusal; and
 - (2) **HEALTH CARE PERSONNEL** shall document in the juvenile's Health Record that the juvenile signed or refused to sign a refusal form.
4. **HEALTH CARE PERSONNEL** shall scan the Form 3040.07A Health Care Refusal and/or file the original in the juvenile's Health Record.
5. A **QHCP** shall:
 - a. Continue to counsel the juvenile when it is believed that the examination, treatment, or procedure is in the juvenile's best interest;
 - b. Document the counseling in the juvenile's Health Record.
6. If the refusal poses a substantial risk to the juvenile, a **QHCP** shall notify the juvenile's parent/guardian.
 - a. **FAMILY LIAISON** may facilitate communication with the appropriate legal guardian/court appointed guardian.
7. When a noteworthy adverse outcome, significant medical disability, or life threatening situation may occur as a result of a juvenile refusing medical treatment, the **MID-LEVEL PROVIDER, DENTIST, OR TREATING PHYSICIAN WITH PERMISSION OF THE CONSULTING PSYCHIATRIST, MEDICAL DIRECTOR, AND ADJC DIRECTOR OR THEIR DESIGNEE** has the authority to force administration of medical treatment or medication. In

Procedure No. 3040.07 Right to Refuse Health Care

Page 2 of 2

this event the **MEDICAL DIRECTOR OR HIS/HER DESIGNEE** shall notify the Facility Superintendent, Juvenile Ombuds, and parent/legal guardian.

Effective Date:	Approved by Process Owner:	Review Date:	Reviewed By:
07/19/2006	Dr. Kellie Warren		